

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

HAWAII LABORERS' TRUST ) CIVIL NO. 02-00755 SOM BMK  
FUNDS, (*Hawaii Laborers' Health &* )  
*Welfare Trust Funds* by its trustees ) DECLARATION OF PABLO P.  
Harry Ushijima, Albert Hamamoto, Mel ) QUIBAN  
Cremer, Benjamin Saguibo, Edmund C. )  
Aczon, Stephanie C. Mahelona, and )  
Larry Cadiz, etc., et al.,) )

Plaintiffs, )

vs. )

CME ENVIRONMENTAL SERVICES, )  
INC., a Hawaii corporation, )

Defendant, )

and )

STATE OF HAWAII DEPARTMENT )  
OF LABOR AND INDUSTRIAL )  
RELATIONS, WAGE STANDARDS )  
DIVISION, )

Garnishee. )

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DECLARATION OF PABLO P. QUIBAN

I, PABLO P. QUIBAN, deposes and says as follows:

1. I am the attorney for Plaintiffs in the above-entitled action, and I make this declaration in support of the motion of said Plaintiffs for issuance of

garnishee summons after judgment.

2. On January 2, 2004, in the above-entitled court and cause, a Judgment was entered herein awarding Plaintiffs the sum of \$88,442.79 against Defendant; Plaintiffs are still the owners and holder of the judgment and the principal sum still outstanding is \$88,442.79, along with attorney's fees, costs, and interests, is and remains due, owing and unpaid by said Defendant to Plaintiffs.

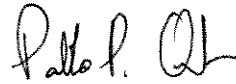
3. There is no appeal pending by Defendant to the judgment and said Judgment has not been reversed or set aside and is and remains in full force and effect as against said Defendant.

4. Declarant is informed and believes and on such information and belief says that STATE OF HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, WAGE STANDARDS DIVISION, has the goods or effects of Defendant in garnishee's hands, or is indebted to Defendant, or has moneys of Defendant in garnishees' possession for safekeeping.

5. Defendant CME ENVIRONMENTAL SERVICES, INC., is a business enterprise, and as such, it has no children, dependents or otherwise, and accordingly, it does not qualify for welfare payments under the Temporary Aid For Needy Families (TANF) or for social security benefits, and I therefore believe that the funds sought to be garnished are not traceable to TANF grants or to social security

benefits.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Pablo P. Quiban". The signature is fluid and cursive, with the first name "Pablo" and last name "Quiban" clearly distinguishable.

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PABLO P. QUIBAN  
Attorney for Plaintiffs